

*[No Minutes Were Generated on Monday, March 31, 2003,
Due to the Court's Observance of Cesar Chavez Day.]*

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**SUPREME COURT MINUTES
TUESDAY, APRIL 1, 2003
LOS ANGELES, CALIFORNIA**

The Supreme Court of California convened in its courtroom in the Ronald Reagan State Office Building, Third Floor, South Tower, 300 South Spring Street, Los Angeles, California, on April 1, 2003, at 9:00 a.m.

Present: Chief Justice Ronald M. George, presiding, and Associate Justices Kennard, Baxter, Werdegarr, Chin, Brown and Moreno.

Officers present: Frederick K. Ohlrich, Clerk; and Gail Gray, Deputy Clerk.

S108099 Steven White, Plaintiff and Appellant

v.

Gray Davis, as Governor, etc., Defendant and Respondent

and companion case

Cause called. Jennifer K. Rockwell, Deputy Attorney General, argued for Appellant State Controller.

Gary Messing argued for Appellant California Union of Safety Employees.

Anne Giese argued for Appellant California Employees Association.

Richard I. Fine argued for Respondents.

Ms. Rockwell replied.

Cause submitted.

S108751 Edgar Winter, Plaintiffs and Appellants

v.

DC Comics et al., Defendants and Respondents

Cause called. Michael Bergman argued for Respondents.

Vincent H. Chieffo argued for Appellants.

Mr. Bergman replied.

Cause submitted.

S097600 The People, Plaintiff and Respondent
 v.
 Jay Shawn Johnson, Defendants and Appellant
 Cause called. Seth K. Schalit, Deputy Attorney General, argued
 for Respondent.
 Stephen Bedrick argued for Appellant.
 Mr. Schalit replied.
 Cause submitted.

Court recessed until 2:00 p.m. this date.

Court reconvened pursuant to recess.
Members of the Court and Officers present as first shown.

Justice Marvin R. Baxter, not participating in consideration of
the following case, did not take the bench.

The Honorable Dennis M. Perluss, Presiding Justice, Court of
Appeal, Second District, Division Seven, sitting on the following
case under assignment by the Chairperson of the Judicial Council,
joined the Court at the bench.

S103681 James Peracchi, Petitioner
 v.
 The Superior Court of Fresno County, Respondent
 The People, Real Party in Interest
 Cause called. Janine Busch, Deputy Attorney General, argued
 for Real Party in Interest.
 Roger T. Nuttall argued for Petitioner.
 Ms. Busch replied.
 Cause submitted.

Justice Perluss, not participating in the following matters, did not
join the bench. The Court is rejoined at the bench by Justice Baxter.
All other officers were present as before shown.

S024599 The People, Respondent

v.

Michael Lamont Jones, Appellant

Cause called. William Flenniken, Jr. opened argument for Appellant.

Kent Russell continued argument for Appellant.

Holley A. Hoffman, Deputy Attorney General, argued for Respondent.

Mr. Flenniken replied.

Cause submitted.

S015381 The People, Respondent

v.

Tracey Lavell Carter, Appellant

Cause called. Ronald S. Smith argued for Appellant.

Corey J. Robins, Deputy Attorney General, argued for Respondent.

Mr. Smith replied.

Cause submitted.

Court recessed until 9:00 a.m., Wednesday, April 2, 2003.

S114532G030586 Fourth Appellate District,
Division Three

SIVE v. HASSO

Petition for review and application for stay denied

S016883

PEOPLE v. MASTERS (JARVIS)

Extension of time granted

to May 23, 2003 to file appellant's reply brief. The court anticipates that after that date, only two further extensions totaling 120 additional days will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

S029301

PEOPLE v. TULK (JAMES D.)

Extension of time granted

to April 28, 2003 to Shasta County Superior Court to comply with this court's order of 2/11/2003.

S040704

PEOPLE v. JOHNSEN (BRIAN D.)

Extension of time granted

to May 30, 2003 to file appellant's opening brief. After that date, only one further extension totaling about 60 additional days will be granted. Extension is granted based upon counsel Richard P. Stookey's representation that he anticipates filing that brief by 8/2/2003.

S042224

PEOPLE v. CRUZ (THOMAS V.)

Extension of time granted

to June 2, 2003 to file respondent's brief. After that date, only one further extension totaling about 30 additional days is contemplated. Extension is granted based upon Deputy Attorney General Ross C. Moody's representation that he anticipates filing that brief by 6/29/2003.

S107856

CREW (MARK CHRISTOPHER) ON H.C.
Extension of time granted

to May 2, 2003 to file the reply to the informal response to the petition for writ of habeas corpus. Extension is granted based upon Assistant State Public Defender Andrew S. Love's representation that he anticipates filing that document by 5/2/2003. After that date, no further extension will be granted.

S114574

SAMPSON v. SC (PEOPLE)
Transferred to CA 2

for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition shall be denied.